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4/16/19 2:54 pm  
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U.S. BANKRUPTCY  
COURT - WDPA

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Case No. 16-22886-GLT
	:	Chapter 13
CHAZ R. PARDUE,	:	
	:	
<i>Debtor.</i>	:	
	:	
CHAZ R. PARDUE,	:	Related to Dkt. Nos. 91 & 93
	:	
<i>Movant,</i>	:	
	:	
v.	:	
	:	
NATIONSTAR MORTGAGE,	:	
	:	
<i>Respondent.</i>	:	
	:	

**ORDER**

This matter came before the Court upon the debtor's filing of his *Second Motion for Loss Mitigation* (the "Motion").<sup>1</sup> The *Motion* sought entry into the Court's Loss Mitigation Program with respect to the debtor's property located at 2365 Dutch Ridge Road, Beaver, PA 15003. The debtor previously was granted entry into the Loss Mitigation Program on October 17, 2016 upon entry of the Court's *Order*.<sup>2</sup> Though the *Order* included an expiration date of January 16, 2017, the debtor asked for and received a number of extensions to that deadline.<sup>3</sup> The Loss Mitigation Period eventually expired on October 9, 2018, and the debtor's final attempt to retroactively extend the deadline (two months after the fact) was denied.<sup>4</sup> The debtor's loan servicer, Nationstar Mortgage ("Nationstar"), filed a *Response* to the *Motion* on April 12, 2019,

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<sup>1</sup> Dkt. No. 93.

<sup>2</sup> Dkt. No. 28.

<sup>3</sup> See Dkt. Nos. 41, 47, 52, 56, 67, 80.

<sup>4</sup> Dkt. No. 87.

objecting to the proposed re-entry into the Loss Mitigation Program.<sup>5</sup> The *Response* alleges that the debtor has attempted to modify this loan on “nine separate occasions.”<sup>6</sup> Every such attempt apparently failed after the debtor either did not provide paperwork, or recorded a negative income.

Notwithstanding the facts alleged in the *Response*, the debtor had two years during the present case to complete the loss mitigation process. Despite the generous window of time afforded him by the Court, the debtor claims that he was “unable to obtain the necessary paperwork” to allow Nationstar to review his eligibility for a loan modification.<sup>7</sup> Now, nearly two months after the termination of the original Loss Mitigation Period, the debtor indicates that he has obtained the necessary paperwork and should be given another opportunity. Given the long history of his attempts to date, in addition to his repeated disregard of Loss Mitigation deadlines, the Court has nothing presently before it from which it can determine that the debtor is deserving of another round of Loss Mitigation.

Based upon the foregoing, it is hereby **ORDERED, ADJUDGED, and DECREED**, that:

1. The debtor’s *Second Motion for Loss Mitigation* [Dkt. No. 93] is **DENIED**.
2. The debtor’s *Application for Approval to Allow Debtor to Re-Enter into the Loss Mitigation Program* [Dkt. No. 91] is **DENIED**.

Dated: April 16, 2019

  
\_\_\_\_\_  
GREGORY J. TADDONIO, <sub>hct</sub>  
UNITED STATES BANKRUPTCY JUDGE

Case Administrator to Mail to:

Debtor  
Lauren Lamb, Esq.  
Kevin Frankel, Esq.  
Ronda J. Winnecour, Esq.  
Office of the U.S. Trustee

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<sup>5</sup> Dkt. No. 96.

<sup>6</sup> Id. at ¶3.

<sup>7</sup> See Dkt. No. 91.

In re:  
Chaz R. Pardue  
Debtor

Case No. 16-22886-GLT  
Chapter 13

### CERTIFICATE OF NOTICE

District/off: 0315-2

User: lfin  
Form ID: pdf900

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Apr 16, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 18, 2019.

db +Chaz R. Pardue, 2365 Dutch Ridge Road, Beaver, PA 15009-9754

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Apr 18, 2019

Signature: /s/Joseph Speetjens

### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 16, 2019 at the address(es) listed below:

James Warmbrodt on behalf of Creditor NATIONSTAR MORTGAGE LLC bkgroup@kmlawgroup.com  
Joshua I. Goldman on behalf of Creditor NATIONSTAR MORTGAGE LLC bkgroup@kmlawgroup.com  
Kevin Scott Frankel on behalf of Creditor NATIONSTAR MORTGAGE LLC pakb@logs.com  
Lauren M. Lamb on behalf of Debtor Chaz R. Pardue  
julie.steidl@steidl-steinberg.com;courtdocs.sands@gmail.com;acordell@steidl-steinberg.com;cgoga@steidl-steinberg.com;LambLR53037@notify.bestcase.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com  
Matthew John McClelland on behalf of Creditor NATIONSTAR MORTGAGE LLC bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com, ckutch@ecf.courtdrive.com;acarr@bernsteinlaw.com  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com, srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 9